

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number 08-20599-BC  
Honorable Thomas L. Ludington

STEVEN PAUL WALTON,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION, GRANTING THE  
GOVERNMENT'S MOTION FOR INVOLUNTARY MEDICAL TREATMENT, AND  
AUTHORIZING INVOLUNTARY MEDICAL TREATMENT**

This matter is before the Court on a report and recommendation [Dkt # 25] issued by Magistrate Judge Charles E. Binder on September 25, 2009. The magistrate judge recommends that the Court grant the government's motion for involuntary medical treatment [Dkt. # 23]. As of today's date, no party has filed any objections to the magistrate judge's report and recommendation. The failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [Dkt # 25] is **ADOPTED**.

It is further **ORDERED** that the government's motion for involuntary medical treatment [Dkt. # 23] is **GRANTED**.

It is further **ORDERED** that the officials at FMC Butner are **AUTHORIZED** to involuntarily administer medical treatment for a period of four months from the onset of the administration consistent with the medical evaluation submitted to the Court [Dkt. # 22-4].

It is further **ORDERED** that the time beginning February 24, 2009, continues to be **DETERMINED** to be **EXCLUDABLE DELAY** pursuant to 18 U.S.C. § 3161(h)(4) because the defendant continues to be mentally incompetent.

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge

Dated: October 28, 2009

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on October 28, 2009.

s/Tracy A. Jacobs  
TRACY A. JACOBS